

**IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION LITIGATION**

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**Master Docket No. 1:13-cv-09116**

**Magistrate Judge M. David Weisman**

projected costs in the amount of \$1,893.75, which leaves \$1,218.75 in estimated costs for this category through completion of the case.<sup>1</sup>

b. Format Documents (\$75.00). This was addressed in Paragraph 13.b of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$51.25, which is nominally lower than the eventual amount incurred. As no further revision of documents is anticipated, future Gilardi invoices will not include this line item.

c. Staff Hours Processing Data Files (\$3,600). This was addressed in Paragraph 13.d of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$14,860, which leaves \$11,260.00 in estimated costs for this category through completion of the case.

d. Staff Hours Providing Customer Service Support to Institutions (\$750.00) This was addressed in Paragraph 13.e of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$750.00. As all NCAA member institutions that were served with subpoenas for student-athlete contact information have responded and no further data uploads are expected, future Gilardi invoices will not include this line item.

e. Second Round Email Notice – Email Campaign Management (\$275.00). This was addressed in Paragraph 12.b of the March 2017 Declaration,

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<sup>1</sup> Gilardi anticipates billing for the remainder of this category and for the remainder of the categories below in future invoices, and will ensure that future invoices remain within the overall budget of \$2,135,380.21 approved by the Court in its May 9, 2017 Order (Dkt. #405) (except as otherwise noted in footnotes 2 and 3 below).

wherein Gilardi projected costs in the amount of \$450.00, which leaves \$175.00 in estimated costs for this category through completion of the case.

f. Second Round Postcard Mailing – Print Costs (\$137.20). This was addressed in Paragraph 12.e of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$52,551.07, which leaves \$52,413.87 in estimated costs for this category through completion of the case.

g. Second Round Postcard Mailing – Postage Costs (\$1,254.40). This was addressed in Paragraph 12.g of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$480,466.88, which leaves \$479,212.48 in estimated costs for this category through completion of the case.

h. Second Round Postcard Mailing – Print Production (\$200.00). This was addressed in Paragraph 12.f of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$800.00, which leaves \$600.00 in estimated costs for this category through completion of the case.

i. RUM Scanning (\$38,938.60 – Reduced to \$37,002.50). This was addressed in Paragraph 12.h of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$37,002.50. Due to an incomplete reporting of RUM as Gilardi was providing projections for the March 2017 Declaration, the projected RUM volume was less than what was ultimately received. As this was an error on Gilardi's part, Gilardi has agreed to absorb the difference and has included a RUM Reduction in the amount of \$1,936.10 on the invoice.

j. Staff Hours Performing RUM & Remail Services (\$832.00). This was addressed in Paragraph 12.i of the March 2017 Declaration, wherein Gilardi

projected costs in the amount of \$2,000.00, which leaves \$1,168.00 in estimated costs for this category through completion of the case.

k. Website Maintenance: Two Websites (\$375.00). This was addressed in Paragraph 13.f of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$2,500.00, which leaves \$2,125.00 in estimated costs for this category through completion of the case.

l. Server Space Rental: Settlement Website (\$200.00). This was addressed in Paragraph 13.g of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$250.00, which leaves \$50.00 in estimated costs for this category through completion of the case.<sup>2</sup>

m. Server Space Rental: NCAA Upload Site (\$200.00). This was addressed in Paragraph 13.h of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$200.00<sup>3</sup>.

n. Project Management (\$7,175.00). This was addressed in Paragraph 13.c of the March 2017 Declaration, wherein Gilardi projected costs in

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<sup>2</sup> It should be noted that the projected costs of \$250.00 assumed the Settlement Website would be transferred to Garretson as of the Effective Date, which was anticipated to occur as early as June 18, 2017. Due to the re-scheduling of the Final Approval Hearing, the earliest possible Effective Date and therefore the earliest possible date for transfer of the Settlement Website to Garretson is now December 12, 2017. This will ultimately result in at least \$1,200.00 (\$50.00 per month) in additional costs in this category.

<sup>3</sup> It should be noted that the projected costs of \$200.00 assumed the NCAA Upload Site would be deactivated by the end of May 2017. Due to certain institutions not uploading the requested data within the originally requested time-frame, the NCAA Upload site remained active through the month of August 2017, which will result in \$150.00 (\$50.00 per month) in additional costs in this category. Gilardi anticipates the NCAA Upload site will be deactivated in the month of August 2017, so additional costs in this category will be limited to \$150.00.

the amount of \$59,900.00, which leaves \$52,725.00 in estimated costs for this category through completion of the case.

o. Opt-Out/Objection Processing (\$2,325.00). This was addressed in Paragraph 13.i of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$3,250.00, which leaves \$925.00 in estimated costs for this category through completion of the case.

p. Correspondence Processing (\$75.00). This was addressed in Paragraph 13.j of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$2,883.00, which leaves \$2,808.00 in estimated costs for this category through completion of the case.

q. Weekly Statistics Reporting (\$450.00). This was addressed in Paragraph 13.k of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$1,250.00, which leaves \$800.00 in estimated costs for this category through completion of the case.

r. Declarations (\$1,675.00). This was addressed in Paragraph 13.l of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$2,500.00, which leaves \$825.00 in estimated costs for this category through completion of the case.

s. Telephone Support: Ongoing Script Management (\$150.00). This was addressed in Paragraph 13.m of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$750.00, which leaves \$600.00 in estimated costs for this category through completion of the case.

t. IVR Line Charges (\$2,883.42), IVR Transfer Fee (\$1,882.08), & Staff Hours Providing Phone Support (\$13,070.00): (\$17,835.50 in total). These categories were addressed in Paragraph 13.n of the March 2017 Declaration, wherein Gilardi projected costs in the amount of \$7,935.01. While these charges are being billed at the previously-approved rates outlined in the March 2017 Declaration, due to the higher than anticipated call volume, these categories exceed the overall projected costs from the March 2017 Declaration by \$9,900.49.

4. Invoice US\_GILH1245150, attached hereto as Exhibit B, addresses notice and administrative costs from August 24, 2014 through January 20, 2017. Although Gilardi has not previously submitted this invoice to the Court, it did include the \$1,001,012.73 in direct notice and administrative costs reflected on Invoice US\_GILH1245150 in the March 2017 Declaration. See March 2017 Decl. (Dkt. #365-1) at ¶¶ 3, 8-10. In its May 9, 2017 Order, the Court approved the amended estimated notice budget set forth in the March 2017 Declaration, including \$1,001,012.73 in direct notice and administrative costs. See Minute Entry (Dkt. #405). Invoice US\_GILH1245150 includes this approved amount plus applicable sales tax for a total of \$1,015,303.99.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 7<sup>th</sup> day of August, 2017.

  
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Rachel Christman

# **EXHIBIT A**



3301 Kerner Blvd.  
San Rafael, CA 94901  
P: (415) 461-0410  
F: (415) 461-0412

June 16, 2017

Christopher A. O'Hara, Esq.  
Hagens Berman Sobol Shapiro LLP  
1918 8<sup>th</sup> Ave., Suite 3300  
Seattle, WA 98101

Re: **In Re NCAA Student Athlete Concussion Injury Litigation**  
Client Matter Number 4555  
Invoice: US\_GILH1245069

Professional services and third party expenses from January 21, 2017 through May 31, 2017 in connection with Intake and Process Data, Setup Case Management Systems, Document Formatting, Postcard Notice, RUM Processing, Website Development, Case Management, Opt-out & Objection Processing, Correspondence, Reporting, Declaration and Telephone Support for the **In Re NCAA Student Athlete Concussion Injury Litigation** matter.

| Notification                                     | Quantity | Unit  | Rate     | Amount              |
|--|----------|-------|----------|---------------------|
| Case Management System Maintenance               | 6.75     | hrs   | \$100.00 | \$ 675.00           |
| Format Documents                                 | 0.75     | hrs   | \$100.00 | 75.00               |
| Staff Hours Processing Data Files                | 36.00    | hrs   | \$100.00 | 3,600.00            |
| Staff Hours Providing Customer Service           |          |       |          |                     |
| Support to Institutions                          | 7.50     | hrs   | \$100.00 | 750.00              |
| Second Round Email Notice – Email Campaign       |          |       |          |                     |
| Management                                       | 2.75     | hrs   | \$100.00 | 275.00              |
| Second Round Postcard Mailing – Print Cost       | 3,920    | units | \$0.035  | 137.20              |
| Second Round Postcard Mailing – Postage Cost     | 3,920    | units | \$0.32   | 1,254.40            |
| Second Round Postcard Mailing - Print Production | 2.00     | hrs   | \$100.00 | 200.00              |
| RUM Scanning                                     | 389,386  | units | \$0.10   | 38,938.60           |
| Staff Hours Performing RUM & Remail Services     | 8.32     | hrs   | \$100.00 | 832.00              |
| Website Maintenance: Two Websites                | 3.75     | units | \$100.00 | 375.00              |
| Server Space Rental: Settlement Website          | 4        | mos   | \$50.00  | 200.00              |
| Server Space Rental: NCAA Upload Site            | 4        | mos   | \$50.00  | 200.00              |
| Project Management                               | 71.75    | hrs   | \$100.00 | 7,175.00            |
| Opt-out/Objection Processing                     | 23.25    | hrs   | \$100.00 | 2,325.00            |
| Correspondence Processing                        | 0.75     | hrs   | \$100.00 | 75.00               |
| Weekly Statistic Reporting                       | 4.50     | hrs   | \$100.00 | 450.00              |
| Declarations                                     | 16.75    | hrs   | \$100.00 | 1,675.00            |
| <b>Subtotal Notification</b>                     |          |       |          | <b>\$ 59,212.20</b> |

continued



**In Re NCAA Student Athlete Concussion Injury Litigation**

Client Matter Number 4555

Invoice: US\_GIHL1245069

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| <b>Telephone Support</b>            | <b>Quantity</b> | <b>Unit</b> | <b>Rate</b> | <b>Amount</b>                  |
|-------------------------------------|-----------------|-------------|-------------|--------------------------------|
| Ongoing Script Management           | 1.50            | hrs         | \$100.00    | \$ 150.00                      |
| IVR Line Charges                    | 16,019          | min         | \$0.18      | 2,883.42                       |
| IVR Transfer Fee                    | 10,456          | min         | \$0.18      | 1,882.08                       |
| Staff Hours Providing Phone Support | 10,456          | min         | \$1.25      | <u>13,070.00</u>               |
| <b>Subtotal Telephone Support</b>   |                 |             |             | <b>\$ 17,985.50</b>            |
| <br><b>RUM Reduction</b>            |                 |             |             | <br><\$ 1,936.10>              |
| <br><b>Sales Tax</b>                |                 |             |             | <br>\$ <u>51.14</u>            |
| <br><b>AMOUNT DUE</b>               |                 |             |             | <br><b>\$ <u>75,312.74</u></b> |

# **EXHIBIT B**



3301 Kerner Blvd.  
San Rafael, CA 94901  
P: (415) 461-0410  
F: (415) 461-0412

June 16, 2017

Christopher A. O'Hara, Esq.  
Hagens Berman Sobol Shapiro LLP  
1918 8<sup>th</sup> Ave., Suite 3300  
Seattle, WA 98101

Re: **In Re NCAA Student Athlete Concussion Injury Litigation**  
Client Matter Number 4555  
Invoice: US\_GILH1245150

Professional services and third party expenses through January 20, 2017 in connection with Intake and Process Data, Setup Case Management Systems, Document Formatting, Email Notification, Postcard Notice, Website Development, Case Management, Opt-out & Objection Processing, Declaration and Telephone Support for the **In Re NCAA Student Athlete Concussion Injury Litigation** matter.

| Notification                                    | Quantity  | Unit  | Rate       | Amount               |
|---|-----------|-------|------------|----------------------|
| Software Customization                          | 17.75     | hrs   | \$175.00   | 3,106.25             |
| Document Formatting                             | 20.38     | hrs   | Blended    | 2,448.75             |
| Staff Hours Processing Data Files               | 154.25    | hrs   | Blended    | 17,613.00            |
| Staff Hours Providing Customer Service          |           |       |            |                      |
| Support to Institutions                         | 20.50     | hrs   | \$100.00   | 2,050.00             |
| First Round Email Notice                        | 997,906   | units | \$0.021    | 20,956.03            |
| First Round Email Campaign Management           | 4.50      | hrs   | \$100.00   | 450.00               |
| Track/Manage Bouncebacks                        | 2.75      | hrs   | \$100.00   | 275.00               |
| NCOA  | 1.00      | units | \$3,462.00 | 3,462.00             |
| First Round Postcard Mailing – Print Cost       | 2,177,545 | units | \$0.035    | 76,214.08            |
| First Round Postcard Mailing – Postage Cost     | 2,177,545 | units | \$0.32     | 696,814.40           |
| First Round Postcard Mailing - Print Production | 8.00      | hrs   | \$100.00   | 800.00               |
| Website Development                             | 111.50    | hrs   | Blended    | 17,581.25            |
| Website Maintenance: Two Websites               | 2         | units | \$100.00   | 200.00               |
| Server Space Rental: Settlement Website         | 2         | mos   | \$50.00    | 100.00               |
| Server Space Rental: NCAA Upload Site           | 2         | mos   | \$50.00    | 100.00               |
| Project Management                              | 360.50    | hrs   | Blended    | 72,456.25            |
| Expert Services Media Campaign                  | 244.00    | hrs   | Blended    | 45,445.00            |
| Opt-out/Objection Processing                    | 5.50      | hrs   | \$100.00   | 550.00               |
| Correspondence Processing                       | 31.17     | hrs   | \$100.00   | 3,117.00             |
| Weekly Statistic Reporting                      | 5.00      | hrs   | \$100.00   | 500.00               |
| Declarations                                    | 115.50    | hrs   | Blended    | 13,856.25            |
| <b>Subtotal Notification</b>                    |           |       |            | <b>\$ 978,095.26</b> |

continued

**In Re NCAA Student Athlete Concussion Injury Litigation**

Client Matter Number 4555

Invoice: US\_GILH1245150

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| <b>Telephone Support</b>                                | <b>Quantity</b> | <b>Unit</b> | <b>Rate</b> | <b>Amount</b>                |
|---|-----------------|-------------|-------------|------------------------------|
| Telephone Setup   | 1.00            | units       | \$3,750.00  | \$ 3,750.00                  |
| Ongoing Script Management                               | 6.25            | hrs         | Blended     | 750.00                       |
| IVR Transfer Fee  | 3,816           | units       | \$0.18      | 686.83                       |
| IVR Line Charges  | 12,448          | min         | \$0.18      | 2,240.64                     |
| Staff Hours Providing Phone Support to<br>Class Members | 154.90          | hrs         | \$100.00    | <u>15,490.00</u>             |
| <b>Subtotal Telephone Support</b>                       |                 |             |             | <b>\$ 22,917.47</b>          |
| <b>Sales Tax</b>  |                 |             |             | <b>\$ 14,291.26</b>          |
| <b>TOTAL AMOUNT</b>                                     |                 |             |             | <b><u>\$1,015,303.99</u></b> |